

CITY OF LOGAN, UTAH
ORDINANCE NO. 14-56

AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF LOGAN CITY, UTAH

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, STATE OF UTAH AS FOLLOWS:

SECTION 1: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.33.030: "Exemption" for the "X" Overlay Zone is hereby amended as attached hereto as Exhibit A, respectively:

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, _____
THIS DAY OF _____, 2014.

AYES:

NAYS:

ABSENT:

Karl B. Ward, Council Chairman

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the ____ day of _____, 2014.

Karl B. Ward, Council Chairman

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this ____ day of _____, 2014.

H. Craig Petersen, Mayor

EXHIBIT A

§17.33.030. Exemption

The "X" Overlay Zone shall not apply on those properties within the Logan City Center Street Historic District that contain one tax parcel at least 1.50 acres in size with at least 220 feet of continuous frontage on a public street. Said parcel is entitled to a maximum of two additional building lots each containing a minimum of 60' of frontage on a public street and consistent with the underlying zoning requirements and minimum subdivision standards.



MEMORANDUM TO MUNICIPAL COUNCIL

DATE: June 12, 2014
FROM: Russ Holley, Senior Planner
SUBJECT: Bishop's Storehouse "X" Overlay Code Amendment

Summary of Planning Commission Proceedings

On June 12, 2014, the Planning Commission **recommended** that the Municipal Council **approve** a request to amend the Land Development Code to allow limited subdivision within the "X" Overlay Zone if properties have more than 1.50 acres and more than 220 feet of continuous public street frontage. Said parcels are entitled to a maximum of two (2) additional building lots.

Planning Commissioners vote (4 - 0):

Motion to **recommend approval**:

Yea: A. Fonnesebeck, D. Adams, A. Davis, M. Romero.

Attachments:

Staff Report

Ordinance 14-56

PC Meeting Minutes (to be distributed at the council meeting)

Project Images



Project #14-028
Bishop's Storehouse Subdivision & Code Amendment
55 North 200 West, TIN #06-023-0029

REPORT SUMMARY...

Project Name: Bishop's Storehouse Subdivision & Code Amendment
Proponent / Owner: Joseph Needham / Utah Festival Opera Co.
Project Address: 55 North 200 West
Request: Subdivision, Code Amendment
Current Zoning: NR-6-HD
Type of Action: Quasi-Judicial, Legislative
Hearing Date: June 12, 2014
Submitted By: Russ Holley, Senior Planner

RECOMMENDATION

Staff recommends that the Planning Commission **recommend approval** of the code amendment to allow a subdivision inside the "X" Overlay zone if the property is more than 1.50 acres, has more than 220' of continuous street frontage and creates no more than two (2) additional lots.

Staff recommends the Planning Commission **conditionally approve** a Subdivision Permit for the 3-lot Bishop's Storehouse Subdivision at 55 North 200 West, TIN #06-023-0029.

Current Land use adjoining the subject property

<i>North:</i>	NR-6-HD: Residential Uses	<i>East:</i>	NR-6-HD: Residential Uses
<i>South:</i>	NR-6-HD: Residential Uses	<i>West:</i>	NR-6-HD: Residential Uses

Project Site

The subject property current contains the Bishop's Storehouse building, originally built in 1969 and used for storage, warehousing and office by the Church of Jesus Christ of Latter Day Saints (LDS). The current owner, The Utah Festival Opera Company, acquired the property in 2006 and has been using it ever since to store material related to their industry. A 26-stall asphalt parking lot is directly south of the building and an approximate 20'x25' accessory shed sits west of the building. The remainder of the 1.65 acre irregular shaped parcel, which consumes much of the middle of the block, consists of poorly maintained landscaping. Two driveway accesses currently exist connecting the property to 200 West. Sidewalk, curb and gutter currently exist along the entire street frontage.

Code Amendment Proposal

The proposal is to allow subdivisions of parcels located inside the "X" Overlay portion of the Center Street Historic District if a parcel is at least 1.5 acres in size, has more than 220 feet of continuous frontage along a public street and only creates two (2) additional parcels (three (3) lot subdivision). The property associated with the proposal, also known as the Bishop's Storehouse, is currently 1.65 acres in size, has 228 feet of public street frontage and is proposing two (2) additional building lots.

Currently, three (3) parcels inside the "X" Overlay boundary meet the proposed code amendment criteria and include, the LDS Tabernacle at 50 North Main (8.3 acres & 605' street frontage), the LDS Temple at 175 East 300 North (9.2 acres & 605' street frontage) and the Bishop's Storehouse.

Subdivision Proposal

The proposal is to subdivide the parcel into three (3) lots, with Lot# 1 containing 23,229 SF, 92.3 feet of street frontage, and the existing Bishop's Storehouse and shed structure, Lot# 2 being vacant containing 10,808 SF and 68 feet of street frontage and Lot# 3 being vacant, containing 11,351 SF and 68 feet of street frontage. The remainder of the property (26,565 SF) would be adjusted into the boundary of the Watson (06-023-0003) property at 235 West Center Street.

The base zoning district of NR-6 as described in the Land Development Code (LDC) 17.15.070 allows parcels no smaller than 6,000 SF with a minimum width of 50' and a maximum density of six (6) units per acre. As proposed and contingent on the Code Amendment being adopted, the subdivision meets the requirements of the LDC.

General Plan

The Logan City General Plan 6.4 Visual Resources, talks about the preservation and enhancement of the Center Street Historic District and chapter 11.2.3 emphasizes the cultural value the Historic District brings to the community. Chapter 2.8 talks about the "Building Blocks" of the city with traditionally developed square blocks, having structures placed around the perimeter facing the adjacent public street with middle of the block typically reserved for accessory structures, small scale agriculture and general open areas.

The General Plan describes NR-6 areas as detached single-family housing areas for the creation of stable neighborhoods that are well-maintained and developed in a traditional lot/block pattern present in older areas of Logan. An emphasis is placed on front porches and orientation with garages being considered as secondary priorities.

Summary

Staff recommends that this particular property would be appropriate to subdivide and develop single-family homes in a traditional pattern facing the street with a scale and style that is compatible to adjacent blocks in the Historic District. The location and configuration of the property is not appropriate for storage and warehousing because of the adjacency of residential homes, the size and capacity of 200 West and the historic nature of the neighborhood. As currently displayed, a property of this size and shape in this area becomes difficult for one to maintain in an acceptable manner. Dilapidated and poorly maintained properties typically negatively impact adjacent properties.

The addition of two new single-family homes properly designed and reviewed by the Logan City Historic Committee along with an appropriate re-model of the Bishop's Storehouse into a single-family home, will actually place the property into a pattern that is similar to the blocks in the residential areas of the Historic District, with homes lining the perimeter of the block facing outward to the adjacent street. Also, two additional homes facing 200 West will better enclose and balance the streetscape. Staff has found that this proposal will not directly conflict with the goals and policies within the General Plan and should improve the neighborhood.

AGENCY AND CITY DEPARTMENT COMMENTS

Comments were solicited from the following departments or agencies:

• Fire	• Environmental
• Water	

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 5/29/14. The project was noticed in the Utah Public Meeting website on 5/23/14. Public notices were mailed to all property owners within 300 feet of the project site on 5/27/14. The property was posted with the Community Development Departments *Land Use Action* sign on 5/27/14.

PUBLIC COMMENTS

Staff has received one (1) public comment at this time expressing concerns about the project and is attached for review.

RECOMMENDED CONDITIONS OF APPROVAL FOR THE SUBDIVISION PERMIT

This project is subject to the proponent or property owner agreeing to comply with the following conditions as written, or as may be amended by the Planning Commission.

1. All standard conditions of approval will be recorded with the Subdivision Permit and are available in the Community Development Department.
2. Three (3) lots are approved with this subdivision permit.
3. The subdivision plat shall be recorded with 12 months of approval in accordance with LDC 17.58.
4. Standard streetscape improvements shall be in place prior to the issuance of final occupancy for the adjacent public street frontage(s) along all building lots.
5. Street trees are required every thirty feet on center prior to the final Certificate of Occupancy for each home. If occupancy is desired outside of the planting periods a landscape bond for street trees may be approved.
6. Setbacks for buildings shall be reviewed and approved at the time of the building permit application.
7. Any fences or walls shall be reviewed and approved by Community Development Staff prior to installation.
8. Exterior lighting shall be down-lit and concealed source and comply with LDC 17.37.
9. Logan City standard public utility easements of five (5) feet shall be shown along property lines.
10. Prior to issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a. *Fire - contact 716-9515*
 - Access to new residential lots from 200 West is adequate.
 - Maintain a 20 ft wide fire access lane with no parking on the south side of the existing building.
 - Residential lots are within 600ft of fire hydrants located at 200 West Center and 100 N 200 W.
 - b. *Environmental - contact 716-9760*
 - Will use residential cans, which will need to be placed along 200 West for collection.
 - c. *Water - contact 716-9627*
 - Each lot must have own water main, Existing building subject to current Backflow standards if apply.
 - Any sprinkler system's must have currently approved Backflow assembly, weather its new or modified.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE SUBDIVISION PERMIT

The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:

1. The proposed subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because the subdivision meets the minimum lot sizes and maximum allowed densities for the NR-6-HD zone.
2. After review and compliance with design standards for single-family homes, the structures built on lot# 1 and 2 will be compatible and not detract with adjacent historic structures eligible for District designation.
3. The Subdivision Permit conforms to the requirements of Title 17.47 concerning hearings, procedures, application requirements and plat preparations.

4. The project meets the goals and objectives of the NR zoning designations within the Logan General Plan by providing residential opportunities in core areas with existing services and infrastructure in the vicinity.
5. 200 West provides adequate access and services to the subdivision.
6. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.

RECOMMENDED FINDINGS FOR THE CODE AMENDMENT

The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:

1. The code amendment does not conflict with the appropriate goals and policies in the General Plan pertaining to historic patterns and development.
2. The code amendment allows re-investment and re-development on a dilapidated site.
3. The code amendment allows for re-investment in core areas with infrastructure already in place fulfilling some of the goals in the General Plan.
4. 200 West providing access and utility services to the subject property have adequate capacities or a suitable levels of service for the permitted uses with the NR-6-HD zone.
5. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.

"X" Overlay Zone Historic District (Residential Portion)



"X" Overlay Zone

Historic District (Residential Portion)



"X" Overlay Zone Historic District (Residential Portion)

